IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE ELEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17580 of 2004

Between:

B. Narsimhloo S/o. Narayana
R/o. Srinivasanagar, Secunderabad.

..... PETITIONER

AND

1 APSRTC, rep. by its Managing Director,
Musheerabad, Hyderabad.
2 APSRTC, rep. by its Depot Manager,
Bus Depot (GPP), Pregnnapoor, Medak District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue an appropriate writ or direction particularly one in the nature of Writ of Mandamus declaring the action of the 2nd respondent in reducing the petitioner's basic pay from 6245/- to 5985/- which was reflected in the pay slip of Aug'04 without any opportunity and order as illegal, unjust, and in violation of Arts. 14, 16 & 21 of the Constitution of India and consequently direct the respondents to restore the petitioner's basic pay Rs. 6245/- along with consequential benefits in the interest of justice and fair play.

Counsel for the Petitioner :MR.V.NARASIMHA GOUD

Counsel for the Respondents: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court at the stage of admission made the following ORDER:

The petitioner is working as a Conductor in the respondent-Corporation. He claims

that he was drawing a monthly pay of Rs.6,245/- and the said pay was suddenly reduced to Rs.5,985/- and the same was reflected in the pay slip of August, 2004 without any prior notice or communicating any proceedings, giving any reasons as to why his pay was reduced. The petitioner contends that he approached the second respondent to give the reasons, but the second respondent refused to furnish any reasons. The petitioner, therefore, approached this Court seeking to declare that the action of the second respondent in reducing his basic pay from Rs.6,245/- to Rs.5,985/- as illegal and arbitrary.

The learned Counsel for the respondents is not in a position to say whether there was any order passed by the Corporation before reducing the pay of the petitioner through the pay slip of August, 2004.

In the light of the above circumstances, the action of the second respondent in reducing the pay of the petitioner in the pay slip of August, 2004 is declared as illegal. If the pay of the petitioner is required to be reduced on account of any excess drawal, or anomaly, or on account of imposition of any punishment, the second respondent is directed to serve the necessary order on the petitioner, if available on record. If not, to pass appropriate orders, and to communicate the same to the petitioner, according to the rules. The second respondent shall continue to pay the original basic pay to the petitioner till an order is passed according to the rules.

The writ petition is accordingly disposed of.

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Dr. G. Yethirajulu, J.

Dt:11th October, 2004.

Note: CC by today.

(B/O)

RNS

To

1 The Managing Director,

APSRTC, Musheerabad, Hyderabad.

2 The Depot Manager, APSRTC,
Bus Depot (GPP), Pregnnapoor, Medak District.

3. Two CD copies.